

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE:)
AREDIA and ZOMETA PRODUCTS)
LIABILITY LITIGATION)
This Document Relates to Case Number:) NO. 3:06-MD-1760
3:08-0498 (Delfino)) JUDGE CAMPBELL
)

ORDER

Pending before the Court is a Report and Recommendation (Docket No. 6707) of the Magistrate Judge, Plaintiffs' Objections thereto (Docket Nos. 6576 and 6737), and Defendant's Responses to the Objections (Docket Nos. 6605 and 6740).

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, the Responses and the file. The Objections of the Plaintiffs are well-taken, and the Report and Recommendation is rejected.

Accordingly, Plaintiffs' Motion to Substitute (Docket No. 6332), previously denied by the Magistrate Judge (Docket No. 6523), is GRANTED, and Defendant's Motion to Dismiss (Docket No. 6314) is DENIED.

IT IS SO ORDERED.

Todd Campbell
TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE